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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/486,512	02/28/2000	PETER MAHR	RCA90070	4744

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EXAMINER

DINH, TAN X

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 03/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.


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DATE MAILED:

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

**OFFICE ACTION SUMMARY**

- ☐ Responsive to communication(s) filed on \_\_\_\_\_
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 30 days month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims**

- ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☒ Claims 1-19 are subject to restriction or election requirement.

**Application Papers**

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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1) The preliminary amendment filed on 2/28/2000 is acknowledged.

However, the preliminary amendment does not indicate the status of claims 17-19 as present in the original application. Applicant is required to clear this point in next communication.

2) Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in response to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-4 and 11, drawn to power regulation.

Group II, claim(s) 5-10, drawn to calculation speed of the scanning head.

Group III, claim(s) 12 and 13, drawn to controlling the movement of the scanning head.

Group IV, claim(s) 14-16, drawn to position the scanning head.

3) The inventions listed as Groups I,II,III and IV do not relate to a single general inventive concept under PCT Rule 13.1 because,

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under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The claims of Groups I,II,III and IV are different in structures, arrangements and/or combinations during storing or reproducing information data, for example, Group I is directed to regulate power to scanning head, Group II is directed to calculate the speed to a final position, Group III is directed to control the movement of the scan head based on encode signal of a wheel having predetermining number of holes, and Group IV is directed to position the scanning head at several different locations.

4) A telephone call was made to Mr. FRANCIS A. DAVENPORT (Reg # 36,316) on 3/01/2002 to request an oral election to the above restriction requirement, but did not result in an election being made.

5) Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

6) Any inquiry concerning this communication or earlier communications from the Examiner should be directed to TAN DINH

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whose telephone number is (703)308-4859. The Examiner can normally be reached on Monday - Friday from 8:00AM to 5:30PM.

The *fax phone number* for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the RECEPTIONIST whose telephone number is (703) 305-4700, or the CUSTOMER SERVICE whose telephone number is (703) 306-0377.



TAN DINH  
PRIMARY EXAMINER  
March 1, 2002